

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

NOV 22 2006

BANCORPSOUTH BANK,  
Plaintiff,

**STIPULATION OF VOLUNTARY  
DISMISSAL**

v.

Civil Action No.: 5:06-CV-0777  
(NAM/GJD)

ALBERT PREVOT,  
Defendant.

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel of record for all parties herein that:

(1) Plaintiff's Summons with Notice of Motion for Summary Judgment in Lieu of Complaint, filed with the Onondaga County Clerk's Office on March 30, 2006, shall be and is hereby withdrawn; and

(2) Plaintiff's Amended Notice of Motion for Summary Judgment in Lieu of Complaint dated May 30, 2006, shall be and is hereby withdrawn; and

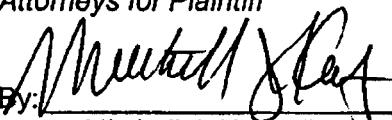
(3) Pursuant to Federal Rule of Civil Procedure 41(a)(1), this action shall be and is hereby dismissed without prejudice and without costs to either party.

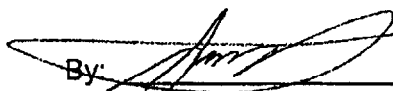
Signed on: November 22, 2006

Signed on: November 21, 2006

MENTER, RUDIN & TRIVELPIECE, P.C.  
Attorneys for Plaintiff

BOND, SCHOENECK & KING, PLLC  
Attorneys for Defendant

By:   
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Dated: November 22, 2006

SO ORDERED:

  
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Hon. Norman A. Mordue  
United States District Judge